

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

PLAINTIFF'S STATUS REPORT

Pursuant to this Court's Order issued on March 1, 2006, the plaintiff submits this second status report on the parties' progress in working out an agreement on the defendant's outstanding medical student loan debt.

As stated in the plaintiff's first status report, the plaintiff intended to work with the defendant and the Department of Health and Human Services in establishing a mutually acceptable payment agreement. The plaintiff, however, has not been able to prepare a proposed payment agreement as the defendant has refused to fully disclose his financial information. The plaintiff has made numerous attempts to contact the defendant to discuss the matter; unfortunately, these attempts have been unsuccessful. Moreover, the plaintiff provided a financial statement package to the defendant on three separate occasions. The defendant has not responded to any of the plaintiff's detailed requests to provide the missing

financial material. In order to determine the defendant's ability pay his debt and propose a payment agreement, the plaintiff needs the missing financial documents.

Because of the failure of the defendant to provide the requested documentation and participate in a dialogue to reach a mutually acceptable payment agreement, the plaintiff hereby respectfully requests that this Court establish a discovery schedule. Based on the defendant's open admission to the Court at the original scheduling conference that he owes the debt, it is the government's intention to file a motion for summary judgment after conducting limited discovery.

This status report is filed solely by the plaintiff as the plaintiff was unable to contact the defendant regarding same.

Respectfully submitted,

UNITED STATES OF AMERICA
By its attorneys

MICHAEL J. SULLIVAN
United States Attorney

Dated: April 17, 2006 By: /S/ Christopher R. Donato
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CERTIFICATE OF SERVICE

I hereby certify that on this day a true copy of the above-document was served by first class mail, postage prepaid, upon the *pro se* defendant at the following addresses:

Terrence J. Joyce
30 Fort Meadow Drive
Hudson, MA 01749

Dated: April 17, 2006

/s/ Christopher R. Donato
CHRISTOPHER R. DONATO
Assistant U.S. Attorney